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**** WARNING ** WARNING ** WARNING ** WARNING ****
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November 18, 2005

12-Ora-57-20.9/26.7
12-084404
ACNH-P057(051)E

Addendum No. 1

Dear Contractor:

This addendum is being issued to the contract for construction on State highway in ORANGE COUNTY IN ANAHEIM AND PLACENTIA FROM 0.7 KM NORTH OF KATELLA UNDERCROSSING TO 0.3 KM NORTH OF ORANGETHORPE UNDERCROSSING.

Submit bids for this work with the understanding and full consideration of this addendum. The revisions declared in this addendum are an essential part of the contract.

Bids for this work will be opened on January 12, 2006.

This addendum is being issued to set a new bid opening date as shown herein and revise the Project Plans, the Notice to Contractors and Special Provisions, the Proposal and Contract.

Project Plan Sheets No. 12, 14, 15, and 17 are revised as follows:

"(Type Z-2) (Aerially Deposited Lead)" shall be revised to read "(Type Y-1) (Aerially Deposited Lead)"

In the Special Provisions, Section 4, "BEGINNING OF WORK, TIME OF COMPLETION AND LIQUIDATED DAMAGES," is revised as attached.

In the Special Provisions, Section 10-1.21, "MATERIAL CONTAINING AERIALLY DEPOSITED LEAD," is revised as attached.

In the Special Provisions, Section 5-1.13, "PAYMENTS," the fifth paragraph is revised as follows:

"For the contract item Plant Establishment the Department of Transportation has determined that the amount of \$54,000 shall be considered to be the value of the contract item for the purpose of calculating contract retention pursuant to Public Contract Code section 10261."

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In the Special Provisions, Section 10-1.05, "DAMAGE REPAIR," the fifth paragraph is revised as follows:

"Damage to slopes, plants, irrigation systems and other highway facilities occurring as a result of rain during the plant establishment period shall be repaired by the Contractor, when directed by the Engineer. The cost of the repairs which exceed the accumulated sum of \$2,700 will be borne equally by the State and the Contractor. The division of cost will be made by determining the cost of repairs in conformance with the provisions in Section 9-1.03, "Force Account Payment," of the Standard Specifications, and paying to the Contractor one-half of the cost which exceeds the sum of \$2,700."

In the Special Provisions, Section 10-2.04, "HIGHWAY PLANTING," in the subsection "PLANT ESTABLISHMENT WORK," the first paragraph is revised as follows:

"The plant establishment period shall be Type 1 and shall be 250 working days."

In the Proposal and Contract, the Engineer's Estimate Item 6 is revised as attached.

To Proposal and Contract book holders:

Inquiries or questions in regard to this addendum must be communicated as a bidder inquiry and must be made as noted in the NOTICE TO CONTRACTORS section of the Notice to Contractors and Special Provisions.

Indicate receipt of this addendum by filling in the number of this addendum in the space provided on the signature page of the proposal.

Submit bids in the Proposal and Contract book you now possess. Holders who have already mailed their book will be contacted to arrange for the return of their book.

Inform subcontractors and suppliers as necessary.

This office is sending this addendum by confirmed facsimile to all book holders to ensure that each receives it. A copy of this addendum is available for the contractor's use on the Internet Site:

http://www.dot.ca.gov/hq/esc/oe/weekly_ads/addendum_page.html

If you are not a Proposal and Contract book holder, but request a book to bid on this project, you must comply with the requirements of this letter before submitting your bid.

Sincerely,

ORIGINAL SIGNED BY

REBECCA D. HARNAGEL, Chief
Office of Plans, Specifications & Estimates
Office Engineer

Attachments

SECTION 4. BEGINNING OF WORK, TIME OF COMPLETION AND LIQUIDATED DAMAGES

Attention is directed to the provisions in Sections 8-1.03, "Beginning of Work," 8-1.06, "Time of Completion," 8-1.07, "Liquidated Damages," and 20-4.08, "Plant Establishment Work," of the Standard Specifications and these special provisions.

The Contractor shall begin work within 15 calendar days after the contract has been approved by the Attorney General or the attorney appointed and authorized to represent the Department of Transportation.

The work (except plant establishment work) shall be diligently prosecuted to completion before the expiration of **180 WORKING DAYS** beginning on the fifteenth calendar day after approval of the contract.

The Contractor shall pay to the State of California the sum of \$1300 per day, for each and every calendar day's delay in finishing the work (except plant establishment work) in excess of **180 WORKING DAYS**.

The Contractor shall diligently prosecute all work (including plant establishment) to completion before the expiration of **430 WORKING DAYS** beginning on the fifteenth calendar day after approval of the contract.

The Contractor shall pay to the State of California the sum of \$600 per day, for each and every calendar day's delay in completing the work in excess of **430 WORKING DAYS**.

In no case will liquidated damages of more than \$1300 per day be assessed.

10-1.21 MATERIAL CONTAINING AERIALY DEPOSITED LEAD

Earthwork involving material containing aerially deposited lead shall conform to the provisions in Section 19, "Earthwork" of the Standard Specifications and these special provisions.

Attention is directed to "Aerially Deposited Lead" of these special provisions.

Type Y-1 material contains aerially deposited lead in average concentrations of 0.5 mg/L or less extractable lead (based on a modified waste extraction test using deionized water as the extractant) and 1411 mg/kg or less total lead. Type Y-1 material exists between 0 m and 17 m, measured horizontally from the edges of existing pavement, from Station 111+80 to Station 119+20, and from a depth of 0 m to 0.15 m below existing grade, or as shown on the plans. This material shall be placed as directed by the Engineer, and covered with a minimum 0.3 m layer of non-hazardous soil or pavement. This material is hazardous waste regulated by the State of California that may be reused as permitted under the Variance of the California Department of Toxic Substances Control (DTSC) provided that the lead contaminated soil is placed a minimum of 1.2 m above the maximum water table elevation and covered with at least 0.3 m of non-hazardous soil. Temporary surplus material may be generated on this project due to the requirements of stage construction. Temporary surplus material shall not be transported outside the State right of way. In order to conform to the requirements of these provisions it may be necessary to stockpile material for subsequent stages, to construct some embankments out of stage, or to handle temporary surplus material more than once.

LEAD COMPLIANCE PLAN

The Contractor shall prepare a project specific Lead Compliance Plan to prevent or minimize worker exposure to lead while handling material containing aerially deposited lead. Attention is directed to Title 8, California Code of Regulations, Section 1532.1, "Lead," for specific California Department of Industrial Relations, Division of Occupational Safety and Health (Cal-OSHA) requirements when working with lead.

The Lead Compliance Plan shall contain the elements listed in Title 8, California Code of Regulations, Section 1532.1(e)(2)(B). Before submission to the Engineer, the Lead Compliance Plan shall be approved by an Industrial Hygienist certified in Comprehensive Practice by the American Board of Industrial Hygiene. The plan shall be submitted to the Engineer for review and acceptance at least 15 days prior to beginning work in areas containing aerially deposited lead.

The Lead Compliance Plan shall include perimeter air monitoring incorporating upwind and downwind locations as shown on the plans or as approved by the Engineer. Monitoring shall be by personal air samplers using National Institute of Safety and Health Method 7082. Sampling shall achieve a detection limit of 0.05 $\mu\text{g}/\text{m}^3$ of air per day. Daily monitoring shall take place while the Contractor clears and grubs and performs earthwork operations. A single representative daily sample shall be analyzed for lead. Results shall be analyzed and provided to the Engineer within 24 hours. Average lead concentrations shall not exceed 1.5 $\mu\text{g}/\text{m}^3$ of air per day. If concentrations exceed this level the Contractor shall stop work and modify the work to prevent release of lead. Monitoring shall be done under the direction of, and the data shall be reviewed by and signed by a Certified Industrial Hygienist.

The Contractor shall not work in areas containing aerially deposited lead within the project limits, unless authorized in writing by the Engineer, until the Engineer has accepted the Lead Compliance Plan.

Prior to performing work in areas containing aerially deposited lead, personnel who have no prior training or are not current in their training status, including Department personnel, shall complete a safety training program provided by the Contractor. The safety training program shall meet the requirements of Title 8, California Code of Regulations, Section 1532.1, "Lead."

Personal protective equipment, training, and washing facilities required by the Contractor's Lead Compliance Plan shall be supplied to Department personnel by the Contractor. The number of Department personnel will be 1.

The Engineer will notify the Contractor of acceptance or rejection of the submitted or revised Lead Compliance Plan not more than 10 days after submittal of the plan.

The contract lump sum price paid for Lead Compliance Plan shall include full compensation for furnishing all labor, materials, tools, equipment, and incidentals and for doing all the work involved in preparing the Lead Compliance Plan, including paying the Certified Industrial Hygienist, and for providing personal protective equipment, training and medical surveillance, as specified in the Standard Specifications and these special provisions, and as directed by the Engineer.

EXCAVATION AND TRANSPORTATION PLAN

Within 15 days after approval of the contract, the Contractor shall submit 3 copies of an Excavation and Transportation Plan to the Engineer. The Engineer will have 7 days to review the plan. If revisions are required, as determined by the Engineer, the Contractor shall revise and resubmit the plan within 7 days of receipt of the Engineer's comments. The Engineer will have 7 days to review the revisions. Upon the Engineer's approval of the plan, 3 additional copies incorporating the required changes shall be submitted to the Engineer. Minor changes to or clarifications of the initial submittal may be made and attached as amendments to the Excavation and Transportation Plan. In order to allow construction to proceed, the Engineer may conditionally approve the plan while minor revisions or amendments are being completed.

The Contractor shall prepare the written, project specific Excavation and Transportation Plan establishing the procedures the Contractor will use to comply with requirements for excavating, stockpiling, transporting, and placing (or disposing) of material containing aerially deposited lead. The plan shall conform to the regulations of the DTSC and Cal-OSHA. The sampling and analysis portions of the Excavation and Transportation Plan shall meet the requirements for the design and development of the sampling plan, statistical analysis, and reporting of test results contained in USEPA, SW 846, "Test Methods for Evaluating Solid Waste," Volume II: Field Manual Physical/Chemical, Chapter Nine, Section 9.1. The plan shall contain, but not be limited to the following elements:

- A. Excavation schedule (by location and date),
- B. Temporary locations of stockpiled material,
- C. Sampling and analysis plans for areas after removal of a stockpile,
 - 1. Location and number of samples,
 - 2. Analytical laboratory,
- D. Sampling and analysis plan for soil cover,
- E. Dust control measures,
- F. Air monitoring,
 - 1. Location and type of equipment,
 - 2. Sampling frequency,
 - 3. Analytical laboratory,
- G. Transportation equipment and routes,
- H. Method for preventing spills and tracking material onto public roads,
- I. Truck waiting and staging areas,

DUST CONTROL

Excavation, transportation, placement, and handling of material containing aerially deposited lead shall result in no visible dust migration. The Contractor shall have a water truck or tank on the job site at all times while clearing and grubbing and performing earthwork operations in work areas containing aerially deposited lead.

STOCKPILING

Stockpiles of material containing aerially deposited lead shall not be placed where affected by surface run-on or run-off. Stockpiles shall be covered with plastic sheeting 0.33 mm minimum thickness or 0.3 m of non-hazardous material. Stockpiles shall not be placed in environmentally sensitive areas. Stockpiled material shall not enter storm drains, inlets, or waters of the State.

MATERIAL TRANSPORTATION

Prior to traveling on public roads, loose and extraneous material shall be removed from surfaces outside the cargo areas of the transporting vehicles and the cargo shall be covered with tarpaulins or other cover, as outlined in the approved Excavation and Transportation Plan. The Contractor shall be responsible for costs due to spillage of material containing lead during transport.

The Department will not consider the Contractor a generator of the hazardous material, and the Contractor will not be obligated for further cleanup, removal, or remedial action for such material handled or disposed of in conformance with the requirements specified in these special provisions and the appropriate State and Federal laws and regulations and county and municipal ordinances and regulations regarding hazardous waste.

MEASUREMENT AND PAYMENT

Quantities of roadway excavation (aerially deposited lead) of the types shown in the Engineer's Estimate, will be measured and paid for in the same manner specified for roadway excavation and structure excavation, respectively, in Section 19, "Earthwork," of the Standard Specifications.

Full compensation for preparing an approved Excavation and Transportation Plan, transporting material containing aerially deposited lead reused in the work from location to location, and transporting of material containing aerially deposited lead shall be considered as included in the contract prices paid per cubic meter for the items of roadway excavation (aerially deposited lead) of the types involved, and no additional compensation will be allowed therefor.

No payment for stockpiling of material containing aerially deposited lead will be made, unless the stockpiling is ordered by the Engineer.

ENGINEER'S ESTIMATE
12-084404

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	074019	PREPARE STORM WATER POLLUTION PREVENTION PLAN	LS	LUMP SUM	LUMP SUM	
2	074020	WATER POLLUTION CONTROL	LS	LUMP SUM	LUMP SUM	
3 (S)	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	
4 (S)	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	
5 (S)	128650	PORTABLE CHANGEABLE MESSAGE SIGN	EA	1		
6	190107	ROADWAY EXCAVATION (TYPE Y-1) (AERIALY DEPOSITED LEAD)	M3	17		
7	190110	LEAD COMPLIANCE PLAN	LS	LUMP SUM	LUMP SUM	
8	198001	IMPORTED BORROW	M3	110		
9	200002	ROADSIDE CLEARING	LS	LUMP SUM	LUMP SUM	
10	200052	PRUNE EXISTING PLANTS	LS	LUMP SUM	LUMP SUM	
11	200114	ROCK BLANKET	M2	630		
12	037001	ROCK BAND	M2	690		
13	202006	SOIL AMENDMENT	M3	66		
14	202011	MULCH	M3	340		
15	202018	COMMERCIAL FERTILIZER	KG	2840		
16	204001	PLANT (GROUP A)	EA	1650		
17	204006	PLANT (GROUP F)	EA	25 200		
18	204008	PLANT (GROUP H)	EA	187 700		
19	204053	WILD FLOWER SEEDING	HA	2		
20	204096	MAINTAIN EXISTING PLANTED AREAS	LS	LUMP SUM	LUMP SUM	